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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,651	03/25/2004	Satoshi Natsume	1232-5356	6111
27123 7590 11/19/2007 MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			EXAMINER WANG, KENT F	
			ART UNIT	PAPER NUMBER
			2622	
			NOTIFICATION DATE	DELIVERY MODE
			11/19/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOPatentCommunications@Morganfinnegan.com  
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**Office Action Summary**

Application No.

10/808,651

Applicant(s)

NATSUME, SATOSHI

Examiner

Kent Wang

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims** 1-3, 5-10

- 4) ☒ Claim(s) ~~1-10~~ is/are pending in the application.
- 4a) Of the above claim(s) ~~1-10~~ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-3, 5-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. The amendments, filed on 08/29/2007, have been entered and made of record. Claims 1-3 and 5-10 are pending.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-3 and 5-10 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-3 and 5-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshikawa, US 6,633,729.

Regarding claim 1, Yoshikawa discloses a drive controlling apparatus (a zoom control switch 1, Fig 1) for controlling a drive of a plurality of optical adjusting members provided on an optical apparatus (a lens apparatus), comprising:

- a memory <sup>6a</sup> (a memory ~~switch 1~~, Fig 1) storing preset drive information (three kinds of preset drive controls) of each of the optical adjusting members which

- include a preset speed and a preset position (preset position and preset speed) (col. 6, lines 40-45);
- a controller (a CPU 6, Fig 1) performing a preset drive control for controlling the drive of each of the optical adjusting members on the basis of the preset drive information (four preset drive control), the controller performing the preset drive control so as to include a state in which the plurality of the optical adjusting members are simultaneously driven (preset speed memory switch 24 and position preset zoom switch 21 are simultaneously turned on) (col. 6 lines 5-13 and col. 13, lines 19-22); and
  - a selection member ( a command signal selector switch 10, Fig 1) being operated for selecting a set condition of drive speeds of the plurality of optical adjusting members (fast preset zoom switch 20, memory position preset zoom switch 21, speed preset zoom switch 22, and the boomerang zoom switch 23) out of a plurality of set conditions (col. 6, lines 14-22 and col. 7, lines 9-13),
  - wherein the controller (a CPU 6, Fig 1) sets the drive speeds in the preset drive control (fast position preset zoom switch 20, step 104, Fig 2) in accordance with the set condition selected with the selection member (speed preset zoom switch 22, Fig 1);
  - wherein one of the plurality of set conditions (three kinds of preset drive controls) is to set the drive speed of a first optical adjusting member (fast position preset zoom switch 20) out of the plurality of optical adjusting members (fast preset zoom switch 20, memory position preset zoom switch 21, speed preset zoom

switch 22, and the boomerang zoom switch 23) to the preset speed stored in the memory (a memory switch 24, Fig 1), and to set the drive speed of other optical adjusting members such that the drive of the plurality of optical adjusting members (fast preset zoom switch 20, memory position preset zoom switch 21, speed preset zoom switch 22, and the boomerang zoom switch 23) up to the preset position stored in the memory (a memory switch 24) is substantially simultaneously completed (simultaneously turned on) (col. 13, lines 4-22).

Regarding claim 2, Yoshikawa discloses one of the plurality of set conditions (four preset drive control) is to set the drive speed of each optical adjusting member (fast position preset zoom switch 20, Fig 1) to a maximum speed at which the optical adjusting member can be driven (optical system 7 can be driven to the preset position at the maximum drive speed) (col. 8, lines 45-60).

Regarding claim 3, Yoshikawa discloses one of the plurality of set conditions (four preset drive control) is to set the drive speed of each optical adjusting member (fast position preset zoom switch 20, Fig 1) to a preset speed stored in the memory (memory 6a of the CPU 6, Fig 1) (col. 7, lines 13-15).

Regarding claim 5, Yoshikawa discloses one of the plurality of set conditions (four preset drive control) is to set a first drive speed of a first optical adjusting member (fast position preset zoom switch 20, Fig 1) out of the plurality of optical adjusting members to a preset speed (step 104 of the process of the CPU 6, Fig 2), the first drive speed being a speed at which the drive of the first optical adjusting member (fast position preset zoom switch 20) is most quickly completed (the maximum speed, step 501 of the process of the CPU 6, Fig 7)

when the first optical adjusting member is driven up to a preset position at the preset speed stored in the memory, respectively, and to set drive speeds of other optical adjusting members (memory position preset zoom switch 21, speed preset zoom switch 22, and the boomerang zoom switch 23) such that the drive of the other optical adjusting members up to preset positions stored in the memory (memory 6a of the CPU 6, Fig 1) are substantially simultaneously completed (all preset switches are simultaneously turned on) (col. 12, lines 40-65, col. 13, lines 4-22 and col. 14, lines 1-17).

Regarding claim 6, Yoshikawa discloses one of the plurality of set conditions (four preset drive control) is to set a first drive speed of a first optical adjusting member (fast position preset zoom switch 20, Fig 1) out of the plurality of optical adjusting members to a preset speed (step 104 of the process of the CPU 6, Fig 2), the first drive speed being a speed at which the drive of the first optical adjusting member (fast position preset zoom switch 20) is most slowly completed (the minimum speed, step 601 of the process of the CPU 6, Fig 8) when the first optical adjusting member is driven up to a preset position at the preset speed stored in the memory, respectively, out of the plurality of optical adjusting members to a first speed, the first drive speed being a speed and to set drive speeds of other optical adjusting members (memory position preset zoom switch 21, speed preset zoom switch 22, and the boomerang zoom switch 23) such that the drive of the other optical adjusting member up to preset positions stored in the memory (memory 6a of the CPU 6, Fig 1) are substantially simultaneously completed (all preset switches are simultaneously turned on) (col. 13, lines 37-46, col. 13, lines 4-22 and col. 14, lines 1-17).

Regarding claim 7, Yoshikawa discloses a characteristic setting member (a command signal selector switch 10, Fig 1) for variably setting the drive characteristic (various preset information) of the optical adjusting member (fast position preset zoom switch 20) at least one of the start time or at the completion time in the preset drive control (start or end of preset drive control operation) (col. 6, lines 14-21 and col. 6. lines 40-64).

Regarding claim 8, Yoshikawa discloses an optical apparatus comprising:

- a plurality of optical adjusting members (fast preset zoom switch 20, memory position preset zoom switch 21, speed preset zoom switch 22, and the boomerang zoom switch 23) (col. 7, lines 9-13); and
- a drive controlling apparatus according to claim 1 (see analysis and rejection as previously discussed with respect to claim 1 above).

Regarding claim 9, Yoshikawa discloses an image-taking system (a video camera system) comprising:

- an optical apparatus (a lens apparatus) having a plurality of optical adjusting members (fast preset zoom switch 20, memory position preset zoom switch 21, speed preset zoom switch 22, and the boomerang zoom switch 23) (col. 7, lines 9-13); and
- a drive controlling apparatus according to claim 1 (see analysis and rejection as previously discussed with respect to claim 1 above); and
- a camera (a video camera) attached with the optical apparatus (a camera on which the optical apparatus is to be mounted) (see col. 4, lines 58-62).

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Regarding claim 10, Yoshikawa discloses an image-taking system (a video camera system) comprising:

- an optical apparatus (a lens apparatus) according to claim 8 (see analysis and rejection as previously discussed with respect to claims 1 and 8 above); and
- a camera (a video camera) attached with the optical apparatus (a camera on which the optical apparatus is to be mounted) (see col. 4, lines 58-62).

### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.




- Uchida (5,929,904) discloses providing a camera control apparatus which can solve the above problem and control a camera to a desired image sensing state with a small operation amount.
- Parker et al. (US 5,471,296) disclose a system includes distance measuring capability for use in the local and remote control of a camera lens for automatic and programmable control of zoom perspective, focus, IRIS and other functions of the camera in conjunction with the programming of an included microcomputer-controlled automatic tracking system.
- Yoshikawa et al. (US 7,079,182) disclose an optical apparatus wherein the control means is capable of causing the memory means to memorize arbitrary preset speed information in response to the operation of the memory instructing operation means and causing the optical member to be driven to a position corresponding to the memorized preset position information with a speed corresponding to the memorized preset speed information.
- Yoshikawa et al. (US 7,158,179) disclose an optical apparatus capable to change and set preset velocity information and change the driving velocity of a lens or any other optical member in accordance with the operation of a predetermined operation means during preset drive control in an optical device or optical device driving unit for performing preset drive control of driving the lens or optical member at a velocity corresponding to pre-stored preset velocity information.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KW  
23 October 2007

  
NGOC-YEN VU  
SUPERVISORY PATENT EXAMINER